

Entered - 08-21-09 sb
CL 09L0582 - GWENDOLYN BURNS

CLAIM OF: **ELIZABETH A. HEARD**
904 Crozier Avenue
Chattanooga, TN 37405

10- R -0245

For vehicular damages alleged to have been sustained due to an automobile accident on April 30, 2009 at Peachtree Street, NE & Peachtree Place, NE.

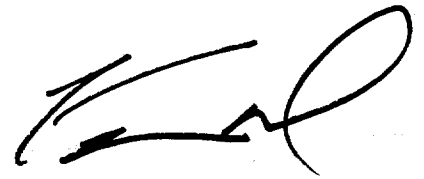
**BY PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE:**

BE IT RESOLVED by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **ELIZABETH A. HEARD** the sum of **\$3,850.00** as full and final settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained due to an automobile accident on April 30, 2009 at Peachtree Street, NE & Peachtree Place, NE as is more particularly set forth in the within claim; said sum taken from and charged to account **1001/200101/5212005/1512000**.

ADOPTED BY
FEB 15 2010
COUNCIL

FEB 15 2010

APPROVED: **ROGER BHANDAR**
ACTING CITY ATTORNEY



BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

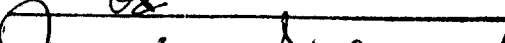
PUBLIC SAFETY &

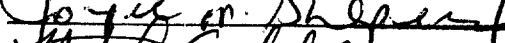
LEGAL ADMINISTRATION COMMITTEE


DATE: 2/9/10

CHAIR: 







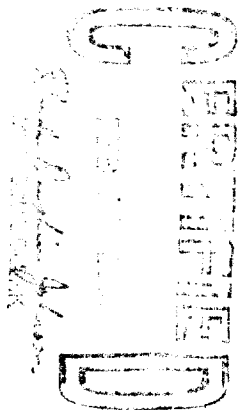














**MUNICIPAL CLERK
ATLANTA, GEORGIA**

10-R-0245

A RESOLUTION

**BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **Elizabeth A. Heard** the sum of **\$3,850.00** as full and final settlement and satisfaction of all claims, past, present and future, of every kind and character, for property damages alleged to have been sustained as a result of **an automobile accident** on **April 30, 2009** at **Peachtree Street NE & Peachtree Place NE** as is more particularly set forth in the within claim; said sum taken from and charged to Account **1001/200101/5212005/1512000**.

A true copy

Deputy Clerk

**ADOPTED by the Atlanta City Council
APPROVED by Mayor Kasim Reed**

**FEB 15, 2010
FEB 22, 2010**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 09L0582

Date: January 22, 2010

Claimant /Victim ELIZABETH HEARD
BY: (Atty) (Ins. Co.) _____
Address: 904 Crozier Avenue, Chattanooga, TN 37405
Subrogation: _____ Claim for Property damage \$ 5,000.00 Bodily Injury \$ _____
Date of Notice: 8/20/09 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 _____ X Ante Litem (6 Mo.) _____ X
Date of Occurrence 4/30/09 Place: Peachtree Street & Peachtree Place
Department POLICE Bureau: _____ Office: _____
Employee involved Michael Monheim Disciplinary Action: None

NATURE OF CLAIM: Claimant sustained vehicle damages when it was struck by the driver of a police vehicle that was driving down the wrong side of the road in response to an emergency call.


INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police X Dept Report _____ Other X
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X
City not involved _____ Offer rejected _____ Compromise settlement X
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:


Pay \$ 3,850.00 Adverse _____ Account charged: General Fund X Water & Sewer _____ Aviation _____
Claims Manager: _____ Concur/date 1/25/10
Committee Action: _____ Council Action _____

August 17, 2009

10- R -0245

Council of the City of Atlanta
Municipal Clerk
City Hall
55 Trinity Avenue, SW
Atlanta, GA 30303

ENTERED - 8-21-09 - SB
09L0582 - G. BURNS

BURNS
08/20/09


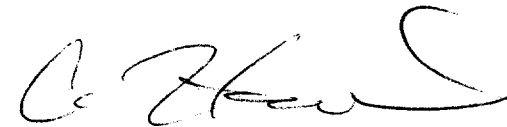
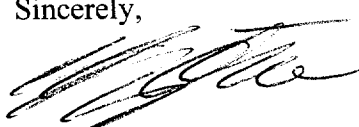
Dear Municipal Clerk,

On April 30, 2009, the day before I graduated and walked with my Master's degree, I was involved in an automobile accident with Police Officer Michael Monheim. According to witnesses and my insurance claims adjuster, Mary Grace DeGeer, the police officer Michael Monheim was at fault for this accident. I have included pictures and the police report for reference.

I was driving a 1996 Jeep Cherokee SE (VIN 1J4FJ28S3TL188583) that my family purchased from the dealership in 1996 and have exclusively owned. This vehicle had 129,972 miles, manual transmission, 4 Wheel Drive, 5 doors, and recent maintenance February 5, 2009 totaling \$862.05. This vehicle was well maintained, had low mileage for a vehicle of its age and had never been involved in an accident. While trying to find comparable vehicles in the area, I determined this vehicle is hard to find and replace in the excellent condition it was kept by my family and with all the features this vehicle possessed. A comparable vehicle is for sale for \$4995.

The driver of this vehicle, myself, had never been involved in an accident, had a perfect driving record, a Master's degree from Georgia Institute of Technology and is a law abiding citizen. I am requesting replacement of my vehicle for \$5000. The vehicle is stored at A-Tow on 180 Harriett Street in Atlanta (404-602-0037). I am willing to take \$5000 for the vehicle and let either A-Tow or the City of Atlanta auction the vehicle. Please contact me if you have any questions.

Sincerely,



Elizabeth A Heard
(423) 463-5850

904 Crozier Avenue
Chattanooga, TN 37405

RCS# 70
2/15/10
2:39 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Bond
NV Hall	Y Wan	Y Martin	NV Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	NV Sheperd	NV Mitchell

CONSENT I

		02-15-10
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-0163	36. 10-R-0160	53. 10-R-0260
2. 10-O-0167	37. 10-R-0244	54. 10-R-0261
3. 10-O-0229	38. 10-R-0245	55. 10-R-0262
4. 10-O-0317	39. 10-R-0246	56. 10-R-0263
5. 10-O-0153	40. 10-R-0247	57. 10-R-0264
6. 10-O-0154	41. 10-R-0248	58. 10-R-0265
7. 10-O-0155	42. 10-R-0249	59. 10-R-0266
8. 10-O-0156	43. 10-R-0250	60. 10-R-0267
9. 10-O-0158	44. 10-R-0251	61. 10-R-0268
10. 10-O-0159	45. 10-R-0252	62. 10-R-0269
11. 10-O-0157	46. 10-R-0253	63. 10-R-0270
12. 10-R-0242	47. 10-R-0254	64. 10-R-0271
13. 10-R-0243	48. 10-R-0255	65. 10-R-0272
14. 10-R-0124	49. 10-R-0256	66. 10-R-0273
15. 10-R-0282	50. 10-R-0257	67. 10-R-0274
16. 10-R-0283	51. 10-R-0258	
17. 10-R-0284	52. 10-R-0259	
19. 10-R-0285		
20. 10-R-0286		
21. 10-R-0287		
22. 10-R-0295		
23. 10-R-0299		
24. 10-R-0300		
25. 10-R-0301		
26. 10-R-0302		
27. 10-R-0233		
28. 10-R-0234		
29. 10-R-0235		
30. 10-R-0236		
31. 10-R-0237		
32. 10-R-0238		
33. 10-R-0239		
34. 10-R-0240		
35. 10-R-0316		